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April 21, 2015

Via CM/ECF

Honorable Lawrence E. Kahn
Senior U.S. District Judge
James T. Foley U.S. Courthouse
445 Broadway, Room 424
Albany, New York 12207-2926

RE: Hogan, et al. v. Vandewater, et al.
Civil Action No.: 7:11-cv-754 (LEK/ATB)

Dear Judge Kahn:

Please accept this letter as a request to file a motion for a trial preference in the above-referenced matter.

As set forth in the accompanying affirmation of Plaintiff Elizabeth Hogan, Ms. Hogan suffers from cancer which metastasized, but is currently being treated by a medication that would allow her to participate in trial. Plaintiff Elizabeth Hogan is nearing the 3 years projected by her doctors, however, and should her medication fail, she would be unable to participate in the trial. For this reason, Plaintiffs request the court grant a trial preference.

The court scheduled a status conference for June 17, 2015. Defense counsel has stated an unavailability in the month of June and seek to have the conference scheduled in July. However, based on the circumstances, Plaintiffs seek to have the status conference held earlier. As the Court schedules status conferences on Wednesdays, please be advised that Plaintiffs are available for a pre-trial conference on the following Wednesdays: May 6, May 13, and May 27, and request that both the trial and pre-trial conference be scheduled as soon as possible.

Respectfully,

s/ Daniel Flynn
Daniel W. Flynn, Esq.

Enclosure

cc: All CM/ECF recipients - w/enc.